

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

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|--|---|----------------------------|
| CRAIG CUNNINGHAM on behalf of | : | |
| himself and others similarly situated, | : | |
| | : | |
| Plaintiff, | : | Case No. 1:19-cv-02547 |
| | : | |
| v. | : | JURY TRIAL DEMANDED |
| | : | |
| PENN L.L.C. d/b/a PULSETV.COM | : | |
| | : | |
| Defendant. | : | |
| | : | |
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PLAINTIFF'S MOTION TO AMEND THE COMPLAINT

Plaintiff Craig Cunningham moves for leave to amend the Complaint to add another Plaintiff that has received telemarketing calls resulting from Penn L.L.C. d/b/a PulseTV.com's text message marketing in alleged violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227 ("TCPA").

This motion is made pursuant to Fed. R. Civ. P. 15(a)(2) on the grounds that the Plaintiffs should be granted leave to amend to vindicate the merits of their claims. Fed. R. Civ. P. 15(a)(2) requires that a party show "good cause". The Plaintiffs establish good cause through two avenues. First, the deadline for the Plaintiff to amend pleadings is August 30, 2019, a date after the filing of this motion, so no party suffers prejudice. Second, Mr. Shelton would have the ability to file his own claim if this motion to amend were denied but litigating this matter in one Court would be more efficient.

A proposed Second Amended Complaint is attached as Exhibit 1.

Respectfully submitted,

By: /s/ Anthony Paronich

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